REGULATION 1.20 Malfunction Prevention Programs

Air Pollution Control District of Jefferson County
Jefferson County, Kentucky

Relates To: KRS Chapter 77 Air Pollution Control
Pursuant To: KRS Chapter 77 Air Pollution Control
Necessity and Function: KRS 77.180 authorizes the Air Pollution Control Board to adopt and enforce all orders, rules, and regulations necessary or proper to accomplish the purposes of KRS Chapter 77. This regulation establishes the requirement for the owner or operator of certain permitted processes or process equipment to develop and implement a malfunction prevention program.

SECTION 1 Definitions

Terms used in this regulation that are not defined in this regulation shall have the meaning given to them in Regulation 1.02 *Definitions*.

1.1 "Affected facility" means any process or process equipment that meets one of the following:

1.1.1 A malfunction involving the process or process equipment was reported pursuant to Regulation 1.07 *Excess Emissions During Startups, Shutdowns, and Malfunctions* and the District determines that the development and implementation of a malfunction prevention program is appropriate,

1.1.2 The District determines that a malfunction involving the process or process equipment may have occurred and that the development and implementation of a malfunction prevention program is appropriate, or~~and~~

1.1.3 The District determines that the development and implementation of a malfunction prevention program is appropriate to minimize the likelihood of the occurrence of a malfunction that may become harmful to public health or welfare.

SECTION 2 Applicability

This regulation applies to any affected facility.

SECTION 3 Malfunction Prevention Program Requirements

3.1 The owner or operator of an affected facility shall develop a malfunction prevention program to prevent, detect, and correct malfunctions, equipment failures, or abnormal process or process equipment operating parameters that may cause an excess ~~increase in the~~ emission ~~of air contaminants~~. The program shall be in writing and reviewed~~,~~ and ~~if appropriate~~ updated~~, at least every 5 years or~~ as the owner or operator or the District determines necessary to keep the program current, relevant, and effective. The program shall, at a minimum, include all of the following:

3.1.1 Identification of the processes, process equipment, and air pollution control equipment included in the program, including monitoring equipment and other instrumentation used to determine proper operation of the process and equipment,

3.1.2 Identification of the individual or position responsible for inspecting, maintaining, and repairing the affected process equipment and air pollution control equipment,

3.1.3 The maximum intervals for inspection and routine maintenance of the affected process

equipment and air pollution control equipment. The maximum interval for routine inspection and maintenance shall not exceed that recommended by the manufacturer unless specifically identified in the program and justified,

3.1.4 A description of the items or conditions that will be inspected,

3.1.5 A listing of materials and spare parts that will be maintained in inventory,

3.1.6 A description of the corrective procedures that will be taken in the event of a malfunction ~~or failure that results in an increase in the emission of air contaminants above the normal levels~~,

3.1.7 The calibration schedule for any device that monitors emissions or process, process equipment, or air pollution control equipment operational parameters. The time between calibrations shall not exceed 1 year or as specified in the program, whichever is shorter,

3.1.8 A description of any additional air pollution control equipment, monitoring equipment, or other instrumentation that will be installed, the installation and operation of which is necessary ~~appropriate~~ to minimize the likelihood of the occurrence of a malfunction,

3.1.9 A description of any operational changes that will be instituted that are necessary to minimize the likelihood of the occurrence of a malfunction,

3.1.10~~9~~ If full implementation of a component of the malfunction prevention program will not occur upon approval by the District, then a schedule for implementation of that component, ~~and~~

3.1.11 The recommended length of time for the malfunction prevention program to remain in effect, and

3.1.12~~0~~ Any other information that ~~as~~ the District ~~may~~ deems appropriate.

3.2 The owner or operator of an affected facility shall submit a malfunction prevention program to the District within 120 days of receipt of written notification from the District that a program is required. If the District determines that a revision to the program is necessary, the owner or operator shall, within 60 days of receipt of written notification from the District of a deficiency, submit a revision to the program addressing the deficiency.

3.3 After providing an opportunity for public review and comment on an initial malfunction prevention program, the District may approve the program. Upon receipt of written notification from the District that a submitted malfunction prevention program is approved, the owner or operator of the affected facility shall implement the approved program. The approved program shall be an enforceable requirement of the applicable District permit for the process and process equipment included in the program.

3.4 In addition to any required revision of a malfunction prevention program pursuant to section 3.1 or 3.2, the owner or operator of an affected facility may periodically revise the program as necessary to satisfy the requirements of this regulation or to reflect changes in equipment or procedures for the affected facility. Any revised program ~~plan~~ shall be submitted to the District. After providing an opportunity for public review and comment on a revision to a program determined by the District to be substantive, the District may approve the revised program. Upon receipt of written notification from the District that the revised program is approved, the owner or operator of the affected facility shall implement the approved revised program. ~~and~~ The approved revised program shall be the enforceable requirement of the applicable District permit.

3.5 The owner or operator may reference, in whole or in part, in a malfunction prevention program ~~may include~~ the affected facility's standard operating procedure manual, an

Occupational Safety and Health plan, or other program to meet some or all of the requirements of this regulation.

3.6 The owner or operator of the affected facility shall keep adequate records to document implementation of the components of the malfunction prevention program. These records shall be maintained for a minimum of 5 years and made available to the District upon request.

3.7 The District, after providing an opportunity for public review and comment, may discontinue the requirement for an owner or operator to implement a malfunction prevention program. If the District determines that discontinuation of this requirement is appropriate, based upon a supporting history that the program has been successful in minimizing malfunctions, then the District shall notify the owner or operator in writing and the program shall no longer be an enforceable requirement of the applicable District permit.

Adopted v1/_____; effective _____.